

1 AMENDMENT TO HOUSE BILL 3495

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3495 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 changing Sections 5-4.1, 5-5.4, and 5-5b as follows:

6 (305 ILCS 5/5-4.1) (from Ch. 23, par. 5-4.1)

7 Sec. 5-4.1. Co-payments. The Department may by rule  
8 provide that recipients under any Article of this Code (other  
9 than group care recipients) shall pay a fee as a co-payment  
10 for services to the extent permitted by the Secretary of the  
11 United States Department of Health and Human Services.  
12 ~~Co-payments--may-not-exceed-one-dollar-for-pharmacy-services,~~  
13 ~~physicians-services,~~~~dental-services,~~~~--optical--services--and~~  
14 ~~supplies,~~~~---chiropractic--services,~~~~--podiatry--services,~~~~--and~~  
15 ~~encounter-rate-clinic-services.~~~~---Co-payments-may--not--exceed~~  
16 ~~three--dollars--for--hospital-outpatient-and-clinic-services.~~  
17 ~~Provided,~~~~however,~~~~that-any-such-rule-must--provide--that--no~~  
18 ~~co-payment---requirement---can---exist--for--renal--dialysis,~~  
19 ~~radiation-therapy,~~~~cancer-chemotherapy,~~~~or-insulin,~~~~and-other~~  
20 ~~products-necessary-on-a-recurring-basis,~~~~the-absence-of-which~~  
21 ~~would-be-life-threatening,~~~~or-where--co-payment--expenditures~~  
22 ~~for-required-services-and/or-medications-for-chronic-diseases~~

1 that--the--Illinois--Department--shall--by--rule--designate--shall  
 2 cause--an--extensive--financial--burden--on--the--recipient,--and  
 3 provided---no--co-payment--shall--exist--for--emergency--room  
 4 encounters--which--are--for--medical--emergencies.

5 (Source: P.A. 82-664.)

6 (305 ILCS 5/5-5b) (from Ch. 23, par. 5-5b)  
 7 Sec. 5-5b. Payment Reductions.

8 (a) Notwithstanding any other Section in this Code  
 9 establishing a methodology for determining payment rates or  
 10 dispensing fees for non-institutional services provided under  
 11 this Code, the Illinois Department is authorized to reduce  
 12 those payment rates or dispensing fees with due regard for  
 13 and subject to budgetary limitations to the extent permitted  
 14 by federal law.

15 (a-5) Notwithstanding any other Section in this Code  
 16 establishing a methodology for determining payment rates or  
 17 dispensing fees for services specified in subsection (1) of  
 18 Section 5-5.4 and subsection (a) of Section 14-8 of this  
 19 Code, the Illinois Department may, by emergency rule filed  
 20 before April 1, 2002, adjust those payment rates or  
 21 dispensing fees to a level not more than 5% below the rates  
 22 and fees in effect on July 1, 2001, with due regard for and  
 23 subject to budgeting limitations to the extent permitted by  
 24 federal law.

25 (b) The Illinois Department may implement this Section  
 26 ~~as-added-by-this-amendatory-Act-of-1991~~ through the use of  
 27 emergency rules in accordance with the provisions of Section  
 28 5.02 of the Illinois Administrative Procedure Act. For  
 29 purposes of the Illinois Administrative Procedure Act, the  
 30 adoption of rules to implement this Section ~~as-added-by-this~~  
 31 ~~amendatory-Act-of-1991~~ shall be deemed an emergency and  
 32 necessary for the public interest, safety and welfare.

33 (Source: P.A. 87-14.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".